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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/760,794	01/17/2001	Jurgen SieneI	Q62127	4939

7590 11/21/2003

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2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037-3213

EXAMINER
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NGUYEN, TU X

ART UNIT	PAPER NUMBER
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2684

DATE MAILED: 11/21/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/760,794

Applicant(s)

SIENEL ET AL.

Examiner

Tu X Nguyen

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Information Disclosure Statement*

1. The information disclosure statement filed 3/13/01 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-3, 6-7, and 10, are rejected under 35 U.S.C. 102(e) as being anticipated by Brent et al. (US Patent 6,272,358).

Regarding claims 1, 6 and 10, Brent et al. disclose telecommunication system, comprising a preprocessing unit (11, fig.2 "vocoder" corresponds to "preprocessing unit") for preprocessing a speech signal originating from a terminal (1, fig.2), which telecommunication system further comprises said terminal, a switch (3) to be coupled to said terminal and a final processing unit (52) coupled to said switch for final processing a preprocessed speech signal, characterized in that said preprocessing unit is located between said terminal and said final processing unit (21, fig.1).

Regarding claims 2-3, Brent et al. disclose switch (50, fig.1) comprises said preprocessing unit (21), which preprocessing unit is to be coupled to said terminal (1).

Regarding claim 7, Brent et al. disclose said switch (50, fig.1) further comprises said final processing unit (21).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4 and 8, are rejected under 35 U.S.C. 103(a) as being unpatentable over Brent et al. and further in view of Mermelstein et al. (US Patent 5,995,923).

Regarding claims 4 and 8, Brent et al. fail to disclose said terminal is a wired terminal or a wireless terminal system, with said switch being a switch for fixed communication coupled to said terminal system via a physical connection.

Mermelstein et al. disclose said terminal is a wired terminal (330, fig.3a) or a wireless terminal system (300), with said switch (310) being a switch for fixed communication (320) coupled to said terminal system via a physical connection (see col.9 lines 44-55). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Brent et al. with the above teaching of Mermelstein et al. in order to provide speech is compressed and decompressed only once from digitized signal of first terminal to analog signal of second terminal.

6. Claims 5 and 9, are rejected under 35 U.S.C. 103(a) as being unpatentable over Brent et al. and further in view of Ulvinen et al. (US Patent 6,393,305).

Regarding claims 5 and 9, Brent et al. fail to disclose a mobile switching center.

Ulvinen et al. disclose a mobile terminal (10), with said switch (30) being a switch for fixed communication (35) coupled via physical connections to a mobile switching center and a base station for mobile communication with said mobile terminal.

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Brent et al. with the above teaching of Ulvinen et al. in order to provide the wireless communication terminal and land based telecommunication.

### Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tu Nguyen whose telephone number is (703) 305-3427. The examiner can normally be reached on Monday through Friday from 8:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, MAUNG NAY A, can be reached at (703) 308-7749.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center 2600 Customer Service Office at (703) 306-0377.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9314 (Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

TN  
11/02/03

  
NAY MAUNG  
SUPERVISORY PATENT EXAMINER